

GARRICK S. LEW SBN # 61889  
Law Offices of Garrick S. Lew & Associates  
600 Townsend Street Suite 329 E  
San Francisco, CA 94103  
Telephone: (415) 575-3588  
Facsimile: (415) 522-1506

Attorney for Defendant  
David Duckart

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	CR No. 98-40120 SBA
vs.	)	CR No. 06-00472 SBA
	)	CR No. 06-00824 SBA
DAVID DUCKART,	)	
	)	STIPULATION OF PARTIES MODIFYING
Defendant.	)	SPECIAL CONDITIONS OF PRETRIAL
	)	RELEASE

The United States, through its counsel AUSA Stephen Corrigan, and defendant David Duckart, through his counsel Garrick S. Lew, hereby agree and stipulate to modify the following Special Condition of pretrial release as set forth below:

1. Defendant's electronic monitoring scheduled is modified to exclude the hours of 10 a.m. to 6 p.m. daily to allow defendant to tend to his personal needs and business to prepare for his voluntary surrender to the Federal Bureau of Prisons on June 16, 2008.

**Factual Basis for Proposed Modification of Pretrial Release Terms**

Defendant's residence and second home have jeopardy tax assessment liens recorded against title. Defendant must appeal the excise tax jeopardy assessments in tax court. Defendant must provide tax counsel with financial information pertaining to his income and expenses to prepare his 2007 tax return and to process his excise tax assessment appeal. Defendant must also make arrangements with friends, relatives or financial entities to manage and tend to his business and personal financial affairs

1 before defendant surrenders on June 16, 2008 to begin serving his 8 month federal prison sentence.  
2 Defendant remains on 24\7 house arrest\detention in San Ramon and cannot accomplish these tasks  
3 under his present pretrial release conditions.

4 Counsel has discussed the proposed modification with Pretrial Services officer Richard Sarlatte  
5 and AUSA Steven Corrigan and the government and Pretrial Services have no objection to the proposed  
6 modification of defendant's electronic monitoring hours.

7 **So Stipulated.**

8  
9 Dated: May 20, 2008

\_\_\_\_\_/S/\_\_\_\_\_  
Stephen Corrigan  
Assistant United States Attorney

11 Dated: May 19, 2008

\_\_\_\_\_/S/\_\_\_\_\_  
Garrick S. Lew  
Attorney for Defendant David Duckart

13 SO ORDERED.

14  
15 Dated: May 23, 2008

  
\_\_\_\_\_  
Wayne D. Brazil  
United States Magistrate Judge